

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	2:24-cv-11071-JFW-SP	Date	February 12, 2025
Title	ADAEZE NWOSU v. THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, et al.		

Present: The Honorable	Sheri Pym, United States Magistrate Judge
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Kimberly I. Carter

None

None

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

None Present

None Present

Proceedings: (In Chambers) Order Striking Unauthorized Second Amended Complaint

On January 28, 2025, plaintiff filed a Second Amended Complaint in this action. Docket no. 20. Rule 15 permits a party to “amend its pleading once as a matter of course” under certain circumstances (*see* Fed. R. Civ. P. 15(a)(1)), which plaintiff here has already done in filing the First Amended Complaint. *See* docket no. 13. After that first amendment, “a party may amend its pleading only with the opposing party’s written consent or the court’s leave.” Fed. R. Civ. P. 15(a)(2).

Here, plaintiff obtained neither consent from the named defendants nor leave of court before filing the Second Amended Complaint. Indeed, plaintiff did not even request leave of court to file a further amended complaint in compliance with Local Civil Rule 15-1. Thus, the Second Amended Complaint is unauthorized and improperly filed, as the court advised plaintiff after its filing. *See* docket no. 22.

Because the Second Amended Complaint (docket no. 20) was improperly filed without leave of court, the Second Amended Complaint is ordered STRICKEN from the docket of this case. The operative complaint in this case is therefore the First Amended Complaint filed December 29, 2024.